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Fifty-sixth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 18
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 55/141 of 8 December 2000,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to the proposals of the Secretary-General of the United Nations and the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,[1]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Recalling all the Security Council and General Assembly resolutions relating to the question of Western Sahara,

[1] See S/21360 and S/22464 and Corr.1.

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Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal of the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Noting also with satisfaction the agreements[2] reached by the two parties during their private direct talks aimed at the implementation of the settlement plan, and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation,

Noting that, despite the progress achieved, difficulties remain in the implementation of the settlement plan which must be overcome,

Taking note of the Security Council resolutions relating to the question, including resolution 1359 (2001) of 29 June 2001,

Taking note also of the efforts of the Secretary-General of the United Nations in his Personal Envoy in search of a mutually acceptable political solution on the question of Western Sahara,

Welcoming the acceptance by the two parties of the detailed modalities for the implementation of the Secretary-General's package of measures relating to the identification of voters and the appeals process,[3]

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[4]

Having also examined the report of the Secretary-General,[5]

1. *Takes note* of the report of the Secretary-General;[5]

2. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

3. *Takes note* of the agreements[2] reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro for the implementation of the settlement plan[1] during their private direct talks under the auspices of James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and in good faith;

4. *Urges* the two parties to continue their cooperation with the Secretary-General and his Personal Envoy, as well as with his Special Representative, and to refrain from undertaking anything that would undermine the implementation of the settlement plan and the agreements reached for its implementation and the continued efforts of the Secretary-General and his Personal Envoy;

5. *Calls upon* the two parties to cooperate fully with the Secretary-General, his Personal Envoy and his Special Representative in implementing the various phases of the settlement plan and in overcoming the difficulties that remain despite the progress so far achieved;

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[2] S/1997/742 and Add.1.

[3] See S/1999/483/Add.1.

[4] A/56/23 (Part II), chap. IX. For the final text, see *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 23.*

[5] A/56/159.

6. *Encourages* the parties to continue their discussions under the auspices of the Personal Envoy of the Secretary-General with a view to reaching a mutually acceptable agreement on the question of Western Sahara;

7. *Urges* the two parties to implement faithfully and loyally the Secretary-General's package of measures relating to the identification of voters and the appeals process;

8. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

9. *Reiterates its support* for further efforts of the Secretary-General for the organization and the supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara that is impartial and free of all constraints, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan for Western Sahara;

10. *Takes note* of the relevant Security Council resolutions, including resolutions 1349 (2001) and 1359 (2001);

11. *Urges* the parties to solve the problem of the fate of people unaccounted for, and calls on the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

12. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the positive ongoing implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-seventh session;

13. *Invites* the Secretary-General to submit to the General Assembly at its fifty-seventh session a report on the implementation of the present resolution.